

REMARKS

Claims 1-9 were rejected under 35 USC 103(a) as being unpatentable over Lockhart et al (USP 6,732,152) in view of Fredlund et al (USP 5,666,215).

Claims 1 and 6 have been cancelled. New independent claim 10 replaces claim 1 with a sincere attempt to more clearly define the invention. Claim 10 requires in step (a) that a consumer electronically transmitting digital image(s), demographic information identifying the consumer or recipient, from a consumer location remote from and over a communication channel to a central receiving agency which stores such digital image(s) and locator information in memory and provides such locator information to the consumer. In step (b) a plurality of sponsor(s) electronically transmit digital images and demographic consumer identifying requirements to the central receiving agency. In step (d) after a consumer has identified a particular stored image the central receiving agency selects one or more sponsor(s) digital images based upon a correlation between demographic information provided by the consumers and the sponsor(s). Neither Lockhart nor Fredlund use a central receiving agency to select sponsor(s) images corresponding to a selected consumer image.

Lockhart merges sponsor information with a mailing list. There is no selection by a consumer of a particular image which triggers the selection step found in step (d) of claim 10. In Lockhart the merging is actually specified by the sponsor(s) whereas claim 10 requires the central receiving agency based upon correlation to select the appropriate sponsor(s) digital images with the consumer identified image. There is no suggestion in Lockhart of this feature.

It is true that Fredlund discloses uploading and merging music or voice files and delivering them to a customer. There is no correlation step provided by a central receiving agency in Fredlund. Fredlund is not concerned with supplying appropriate sponsor images to a consumer. Applicants fail to see how Fredlund can in any way be combined with Lockhart to disclose or suggest the subject matter of claim 10.

It is believed that these changes now make the claims clear and definite and, if there are any problems with these changes, Applicants' attorney would appreciate a telephone call.

In view of the foregoing, it is believed none of the references, taken singly or in combination, disclose the invention set forth in claim 10. The remaining claims depend upon claim 10 and should be allowed along with it. Accordingly, this application is believed to be in condition for allowance, the notice of which is respectfully requested.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 22,363

Raymond L. Owens/das
Rochester, NY 14650
Telephone: 585-477-4653
Facsimile: 585-477-4646